

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

VS.

JAMES STEVENS,

Defendant.

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No. 4:19-CR-472 JAR

DEFENDANT'S SENTENCING MEMORANDUM AND REQUEST FOR VARIANCE

James Stevens is 57 years old, but his serious and chronic heart condition, his low functioning, and his lack of stable housing over the decades has significantly impacted his well-being and he is not in great health. Mr. Stevens has an eighth grade education and 12 siblings. While he doesn't complain about his childhood, it could have been difficult for any child. Giving up on his education at an age when he was unable to make responsible decisions, i.e. before even started high school, is just one example of his lack of supervision and resources. Mr. Stevens was also enrolled in special education courses during grade school. With little education, no formal job training, and lacking direction, he has struggled to find productive employment or a place in the community over the years.

While he does have a significant criminal history, his charges date back more than a decade. Mr. Stevens has also been trying to fend for himself and earn money

with odd cash jobs when he is able to find them. The biggest issues he faced while on supervision in his current probation term were proper housing and following instructions. His significant housing restrictions make suitable and compliant living areas difficult to find. And his slow learning skills make following instructions a challenge for him. He is currently seeking social security disability to assist him when released from this sentence, which – if he qualifies – would be a great resource for him. The Office of Probation has already begun patiently trying to assist Mr. Stevens and will continue to do so when he is released to supervision after his sentence in this case.

WHEREFORE, for these reasons and those set out in the Pre-Sentence Report, he respectfully asks the Court to consider a sentencing variance and sentence him to a below-guideline sentence.

Respectfully submitted,

/s/Brocca Morrison
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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of October, 2020, the foregoing was electronically filed with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Mr. John T. Davis, the Assistant United States Attorney.

/s/Brocca Morrison
BROCCA MORRISON
Assistant Federal Public Defender